

**PART 5  
ORGANIC AIR EMISSION REQUIREMENTS**

**V.A. APPLICABILITY**

**V.A.1.** 40 CFR Part 264 Subpart CC applies to all containers identified in the Facility Operating Permit, i.e., the Container Storage Unit (CSU) previously issued by NMED, except as provided for in 40 CFR §264.1 and §264.1080(b).

**V.A.2.** The Conditions of this Part apply to the hazardous waste management units identified in Table V.A.1 below, and described in Permit Attachments B, *General Facility Description*, and L, *Corrective Action for Solid Waste Management Units*, for which required control equipment has been installed and is operational or are exempt from Subpart CC standards under §264.1082(c).

<b>Table V.A.1. Hazardous Waste Management Units for Which Subpart CC Emissions Controls are Installed</b>		
<b>Hazardous Waste Management Unit Type Designation/ Identification Number</b>	<b>Hazardous Waste Management Unit Type</b>	<b>Description of Air Emission Control System</b>
Containers located at Containerized Waste Storage Units identified as Covered Indoor and Outdoor Storage Buildings, where hazardous waste is managed and stored, including the Staging Areas in front and behind the Storage Buildings.	<b>Container Type A:</b> These are containers with design capacity greater than 0.1 m <sup>3</sup> and less than 0.46 m <sup>3</sup> , (about 126 gal).	Container Level 1 Controls per '264.1086(c) - equipped with cover and closure devices which form a continuous barrier over container openings. These containers may also be controlled using Level 1 controls using applicable DOT regulations or using Level 1 Controls for open-top containers in which an organic vapor-suppressing barrier is placed on the hazardous waste. Type A containers also have an average volatile organic concentration at the point of waste origination equal to or greater than 500 ppmw.
	<b>Container Type B:</b> These are containers with design capacity greater than 0.46 m <sup>3</sup> that are not in light material service.	Container Level 1 Controls per 20.4.1.500 NMAC, incorporating 40 CFR '264.1086(c) - equipped with cover and closure devices which form a continuous barrier over container openings.
	<b>Container Type C:</b> Containers with design capacity greater than 0.46 m <sup>3</sup> that are in light material service.	Container Level 2 controls per 20.4.1.500 NMAC, incorporating 40 CFR '264.1086(c) - demonstrated to be vapor tight using 20.4.1.500 NMAC, incorporating 40 CFR Part 60, Appendix A, Method 27:  If the generator or transporter does not provide appropriate documentation to demonstrate compliance via testing for organic vapor tightness, Level 2 controls operated with no detectable emissions as defined in 20.4.1.600 NMAC, incorporating 40 CFR §265.1081 shall be used.

**V.B. GENERAL STANDARDS**

The Permittee shall comply with the applicable requirements of 20.4.1.500 NMAC, incorporating of 40 CFR Part 264, Subpart CC.

**V.C. SUBPART CC STANDARDS FOR CONTAINERS IN TABLE V.A.1:**

**V.C.1. Inspection of Level 1 or Types A and B Containers:**

**V.C.1.a.** The Permittee shall visually inspect all Type A containers for defects at the time the Permittee first manages and stores hazardous waste or hazardous waste or is accepted at the CSU. If a container remains at the Facility for one (1) calendar year or more, it shall be visually inspected for defects at least once every 12 months, in addition to the (weekly) frequency of inspection presented in Permit attachment F, *Inspection Schedule*. [20.4.1.500 NMAC, incorporating 40 CFR §264.1086(b)(1)(i) and (c)(1)(i-iii)].

**V.C.1.b.** The Permittee shall visually inspect all Type B containers and cover devices for defects at the time the container is first used for managing and storing hazardous waste or the first time hazardous waste is accepted at the CSU. If a container remains at the CSU for one (1) calendar year or more, it shall be visually inspected for defects at least once every 12 months. [20.4.1.500 NMAC, incorporating 40 CFR §264.1086(b)(1)(ii) and (c)(1) and (c)(1)(i-iii)].

**V.C.2. Inspection of Level 2 or Type C Containers:**

The Permittee shall visually inspect all Type C containers and cover devices for defects at the time the container is first used to manage and store hazardous waste or the first time hazardous waste is accepted at the CSU. If a container remains at the CSU for one (1) calendar year or more, it shall be visually inspected for defects at least once every 12 months. [40 C.F.R. 264.1086(b)(1)(iii) and (d)(1)(i-iii)].

**V.D. REPAIR OF LEVELS 1 AND 2 (i.e., TYPES A, B, and C) CONTAINERS:**

**V.D.1. Level 1 Containers:** If a defect is detected in a container using Level 1 standards in accordance with Permit Condition V.C.1, the Permittee shall repair the defect as required by 20.4.1.500 NMAC, incorporating 40 CFR §264.1086(c)(4)(iii).

**V.D.2. Level 2 Containers:** If a defect is detected in a container that is being managed using Container level 2 standards in accordance with Permit Condition V.C.2, the Permittee shall repair the defect as required by 20.4.1.500 NMAC, incorporating 40 CFR §264.1086(d)(4)(iii).

**V.E. REPORTING REQUIREMENTS**

**V.E.1.** For each container which manages hazardous waste that is exempted from using air emission controls, a written report shall be submitted to the Secretary within fifteen (15) calendar days of each occurrence when hazardous waste is placed in the waste management unit as required by 20.4.1.500 NMAC, incorporating 40 CFR §264.1082(c)(1) or (c)(2), as applicable. The written report shall contain the EPA identification number, Facility name and address, a description of the noncompliance event and the cause, the dates of the noncompliance, and the actions taken to correct the noncompliance and prevent reoccurrence of the noncompliance.

**V.E.2.** All reports shall be signed and dated by an authorized representative of the Permittee as per 20.4.1.900 NMAC, incorporating 40 CFR §270.11(b).

**V.F. NOTIFICATION OF NEW UNITS**

Prior to installing container or miscellaneous unit subject to 20.4.1.500 NMAC, incorporating 40 CFR Part 264, Subpart CC, or modifying an existing process, waste handling or container such that the unit(s) will become subject to 20.4.1.500 NMAC, incorporating 40 CFR Part 264 Subpart CC, the Permittee shall apply for a permit modification under 20.4.1.900 NMAC, incorporating 40 CFR §270.42, and provide specific Part B application information required under 20.4.1.900 NMAC, incorporating 40 CFR §270.14-17 and §270.27, as applicable, with the modification request.

**V.G. COMPLIANCE SCHEDULE**

The Permittee shall comply with the requirements of the compliance schedule contained in Permit Part IV, Appendix IV-D, *Schedule of Compliance*.